



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,331	01/25/2002	Jitendra Lakram	LAKR100	7977
23590	10/16/2003			
RICHARD L HUFF 19304 OLNEY MILL ROAD OLNEY, MD 20832				
EXAMINER BASINGER, SHERMAN D				
ART UNIT		PAPER NUMBER		

3617

DATE MAILED: 10/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/055,331

Applicant(s)

LAKRAM, JITENDRA

Examiner

Sherman D. Basinger

Art Unit

3617

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 38-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 38,39,43 and 45 is/are rejected.
- 7) ☒ Claim(s) 40-42,44 and 46-56 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/13/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ryczek in view of Lee et al.

In Ryczek the ceiling upper and lower surfaces for the compartments 11-13 are shown; the air compressor is 15; the compression chamber is 16; and the inflatable air bag is 24. The air bag 24 is not stored on the lower surface of the ceiling of the compartments. Lee et al discloses inflatable air bags 1 which are stored on the lower surface of the ceilings of compartments 3. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to replace the air bags of Ryczek with air bags similar to those of Lee et al such that the air bags are stored on the lower surface of the ceilings of compartments 11-13 of Ryczek. Motivation to do so is to place the airbags in an unoccupied portion of the ship (see Lee et al, page 1, lines 50-55).

The ship of Ryczek inherently has an engine to drive the propeller.

3. Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ryczek and Lee et al as combined for claim 38 and further in view of Bick et al.

Ryczek does not disclose a sonar warning system for warning of potential harm to the vessel. Bick et al discloses such a system. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to provide a sonar warning system similar to that of Bick et al to the ship of Ryczek to aid in the detection and avoidance of sea bottom hazards as taught by Bick et al in column 1, lines 5-9.

4. Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ryczek and Lee et al as applied to claim 38 above, and further in view of Day.

Ryczek et al does not disclose his air compressor 15 as containing multiple overlapping impeller blades. Note that Day discloses a pressure boost impeller using multiple overlapping impeller blades. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to provide a blade similar to that of Day to the compressor of Ryczek. Motivation to do so is found in Day, column 6, lines 21-34.

Allowable Subject Matter

5. Claims 40-42, 44 and 46-56 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:

Claims 40 and 41 are indicated as containing allowable subject matter because none of the prior art of record including Tuffier provide motivation to mount air bags similar to

those of Lee et al on the lower surface of a ceiling using at least one slotted track for holding the at least one inflatable airbag in an uninflated condition and allowing the airbag to expand. The slotted track shown in figure 7 of Tuffier does not mount the air bag to the lower surface of a ceiling.

Claim 42 is indicated as containing allowable subject matter because none of the art of record provide motivation for the hull of Ryczek to have inner and outer walls with the at least one single airbag being deployed on the slotted track by at least one device which attaches the airbag to the track between the inner and outer walls of the hull.

Claim 44 is indicated as containing allowable subject matter none of the art of record provide motivation to modify Ryczek to have a reentry system which transfers air from the inflated airbags to the interior of the vessel.

Claim 46 is indicated as containing allowable subject matter because none of the art of record including Gilbert provide motivation to connect compressor 15 of Ryczek by an axle to a clutch device which is attached to an axle from the vessel's engine. The floating vessel of Gilbert while connecting the engine to the air compressor with a clutch is non analogous to the ship and engine of Ryczek.

Claim 47 is indicated as containing allowable subject matter because none of the art of record provide motivation for modifying Ryczek to have the compression chamber be made up of a diaphragm, and to have a timer valve open and close at predetermined intervals to allow pressurized air to be stored and released into the inflatable airbags.

Claim 48 is indicated as containing allowable subject matter because none of the art of record provide motivation to provide the air bag of Ryczek or Lee et al with a heating element.

Claims 49-56 are indicated as containing allowable subject matter because none of the art of record provide motivation to make the air bag of Ryczek or Lee et al a three chambered main airbag having an inner chamber, a central chamber and an outer chamber.

Response to Arguments

7. Applicant's arguments filed September 23, 2003 have been fully considered but they are not persuasive. Applicant added new claims 38-56. New claim 38 added the limitation that the inflatable airbag is stored on the lower surface of the ceiling of the hull. While Ryczek does not teach this, Lee et al of record does. A new grounds of rejection necessitated by new claim 38 is made combining Ryczek and Lee et al.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherman D. Basinger whose telephone number is 703-308-1139. The examiner can normally be reached on M-F (6:00-2:30 ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samuel J. Morano can be reached on 703-308-0230. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.


Sherman D. Basinger
Primary Examiner
Art Unit 3617

10/15/03

sdb
10/15/03